MEETING MINUTES

Committee: Water & Land Use Planning
Date: Tuesday, July 30, 2019
Time: 3:30 p.m.
Location: Wolf River Room, Resource Center, 837 Clermont Street, Antigo, WI

The following discussion was held by the Committee at the meeting detailed above:

1. Meeting called to order at 3:30 p.m.

2. Roll call was conducted.

Motion by Nye, second by Scupien to excuse Fischer. All ayes, motion carried.

3. The Committee recited the Pledge of Allegiance.

4. Approve previous meeting minutes: Motion by Nye, second by Buck to approve the previous meeting minutes of June 25, 2019. All ayes, motion carried.

5. Public comment on agenda items, and consideration of request for items to be added to future meeting agendas. None

6. Public Hearing………………………………………………………………………………..Mary Krueger/ Greg Krueger, 3:00 P.M. Petition for Zoning Amendment #1009, Town of Rolling. See attached Public Hearing Minutes.

7. Public Hearing………………………………………………………………………………..Jesse Arndt,
3:30 P.M. Petition for Zoning Amendment #1010, Town of Rolling. See attached Public Hearing Minutes.

8. Non-Routine business requiring discussion/action:
   a. **Discuss preliminary 2020 budget:** Haakenson stated he is working with the Finance Department on the preparation of the 2020 budget. Haakenson reviewed the preliminary 2020 budget. Discussion held. Haakenson will bring the 2020 proposed budget back to Committee in August. No action taken.

   b. **Monthly budget review:** Haakenson presented the Committee the monthly budget. Committee reviewed. Discussion held. No action taken.

9. **Land Records Department Update- Duane Haakenson, Director:** Haakenson presented the Committee with a written Land Records update. Discussion held on the storm damage and the effect it has had on the natural resources within Langlade County. Written report attached.

10. **Schedule next meeting:**

11. **Adjourn meeting:**

Minutes transcribed and submitted by:
Becky Rank, Deputy County Clerk
June 2019 Director’s Report

6/3 LCC meeting
6/6 Tree cutting complaint @ Neva Lake
6/10 Haley’s first day here
6/11 Court- pumping citations
6/12 Setting up truck for boat and trailer
6/13 “Four the Record” article sent to the Antigo Daily Journal
6/17 Board of Adjustment meeting
6/17 “Four the Record” article published in ADJ on LCWA and keeping mosquitoes out of the septic tank
6/19 Breakfast Club-LCWA and keep mosquitoes out of septic tank
6/25 Court-pumping citations
6/25 W & LUPC meeting
6/26 Department Head meeting
6/27 Breakfast Club-LCWA-Chris
  • Reviewing Land and Water Resource Management Plan and setting up public hearings

GIS Coordinator’s Report-Joe Martell

Most critical working on and looking into ESRI Local Government Model, an investment of time and effort into data management.
* Sheriff Department work. Superion CAD 911 support & Ongoing update to vehicle map
* Highway Department work. Culverts
* DNR investigation into shoreline bulldozed around Spring Lake.
* ROW work in / around Antigo quite complicated. Onto Rolling
* Continue parcel maintenance and adjustments, an ongoing process.

County Surveyor Update

June 4 Section 8 Parrish project, find and tie E1/4 corner, meet Mr. Richards
June 6 Section 8 Parrish project, search for NE corner (not found), did ties for N1/4 corner and NW corner
June 7 Finish tie sheets for N1/4 and NW corner, Section 8, start sheet for E1/4
June 10 AM off with grandkids
June 11 Finished map for 9 corners GPS’ed along 64 east
June 12 Central Chapter meeting at 45 – 90 marker
June 13 AM off with grandkids
June 17 Meeting with robin and Brain Braun. Created description to get rid of some un-used R/W to adjoining owner Olenske on Hwys K & Z, and reviewed process of changing CTH “M” in White Lake with Brian Braun
June 17 gave Haley my personal Garmin to use as backup GPS
June 18, 19 & 20 Section 8 Parrish with my 6 wheeler. Now tied in to all section corners needed, advised Mr. Richards of boundary line problem, located his buildings and improvements on County land.
June 24 start map of Section 8, Parrish, showing Richards problem
June 25 emailed 15 ties sheets to engineer working on 64 (5th ave rd east to county line).
June 26 finish map for Richards area Parrish
June 28 deliver survey map to Mrs. Richards at Parrish
LAND CONSERVATION DEPARTMENT UPDATE:

- Farmland Preservation review with DATCP staff
- Revising Land and Water Resource Management Plan
  - Public Hearings on July 1 & 8
  - Back to County Board on July 30
- Preparing for Farmland Preservation “spot checks”
- Working with Langlade County Waterways Association on 20th Anniversary Celebration
- Following up to on Nutrient Management Plans that are overdue
- Educational booth at the Fair
- Shoreland & Shallows Habitat Monitoring Protocol project has begun
  - Survey of Sawyer Lake completed
  - Survey of Rose Lake in progress
- Treating Wild Parsnip
- Signed SEG contract for cover crop
- Project design/planning/installation
  - 15 projects in some stage of planning
  - Chris has been on several site visits
- Holding pasture walk at Pierce Farm on August 6
- Working to develop shoreland stabilization booklet with multi-county group
- Planning for regional Road Stream Crossing Design Training
  - Will be held in Forest County September 30 and October 1
- Events/training attended:
  - Molly & Chris – Langlade County Waterways Assoc. Meeting
  - Molly – County Conservationist meeting
  - Molly – Lumberjack RC&D
The following are the Minutes of Public Hearing, held by the Committee at the meeting detailed above:

1. Hearing called to Order at 3:00 P.M.

2. Roll call was conducted.

<table>
<thead>
<tr>
<th>Water &amp; Land Use Planning Committee</th>
<th>Role</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>William Livingston</td>
<td>Chair</td>
<td>Present</td>
</tr>
<tr>
<td>Ron Nye</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Don Scupien</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Sandra Fischer</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Roger Buck</td>
<td>Member</td>
<td>present</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non-Committee Members Present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>Duane O. Haakenson</td>
</tr>
<tr>
<td>Greg Krueger</td>
</tr>
<tr>
<td>Dave Kautza</td>
</tr>
</tbody>
</table>

3. Chairman Livingston read the Notice of Public Hearing pertaining to Petition for Zoning Amendment #1009 by Mary E. Krueger, 229 E North Ave., Antigo WI 54409, Applicant; and Greg Krueger, Agent, FROM: A-2 w/Farmland Preservation TO: AFR Land as being Pt SE SE Sec 13 T30N R11E, EXC Parcel conveyed in Doc #263386, being a 2 acre building site on a 5 acre parcel being created by a CSM (Parcel #026-0219) Town of Rolling.

4. Mr. Haakenson stated that the Notice for Public Hearing was published in the Antigo Daily Journal on July 17th and 23rd, 2019 in accordance with the Langlade County Zoning Ordinance and the Open Meeting Law. It was also sent to the Town Chairman, Town Clerk and those persons owning property within 300 ft of the described parcel.

5. The Petition for Zoning Amendment #1009 was filed in the Land Records & Regulations Department on June 14, 2019. It was then referred to the Chairman of this Committee and set for this time and date for public hearing.

6. Mr. Haakenson presented the Committee with the findings of fact, an aerial photo and a locational map of the area: This is off of County W with the existing zoning being A-2 with Farmland Preservation, surrounding zoning to the north being A-2 and Forestry, east is AFR, south is commercial, and west is A-2 with Farmland Preservation. Soils in this area are Pence Sandy Loam, generally good for conventional septic systems, the slopes should not be an issue,
and public utilities are on County Highway W. This will be a 1 acre building site on a 2 acre CSM. You can see on the aerial photo it is fairly open. The land will be used for a future residence.

7. There being no further questions for Mr. Haakenson, the chairman called the agent for the applicant forward and Greg Krueger appeared before the committee and was sworn in.

   a. Krueger: I would like to build a house on this property. The property is not in my name yet and it should be in my name by the end of next week. The two acres of the five acres, I do not know for certain where my house is going to go. I don’t want to have to do this again. I don’t understand why we couldn’t rezone the entire 5 acres.
   b. Haakenson: If you rezone the entire 5 acres then it would be susceptible to two building lots. The reason for farmland preservation is to preserve farmland. In order for the county to be in that program and give tax credits to the landowners, each municipality has to keep 80% in farmland preservation. The more that gets rezoned the more of a risk of the county loosing that program.
   c. Krueger: Is there a difference in the taxes?
   d. Haakenson: It is taxed according to the use, not the zoning.
   e. Krueger: What if I want to put a building on this property in a different spot, a pole building in the back. My plan is to build a house in the spring, but I want to put a shop in later.
   f. Haakenson: You can have a storage building without the rezone. The rezone is for a residence.
   g. Krueger: How do we decide where the 2 acres are on the property?
   h. Haakenson: Depending where you are planning the house. If you are planning the house in the middle, we can center the 2 acres in the middle.
   i. Krueger: What happens if the house when it is staked out comes outside the 2 acres a little bit.
   j. Haakenson: It’s not going to be surveyed so it does not have to be that specific.
   k. Krueger: I thought I was rezoning the whole 5 acres.
   l. Haakenson: The town approved 2 acres.
   m. Livingston: Do you want to put the breaks on this and go back to the town?
   n. Krueger: No. I thought when I filled out the paperwork I stated 5 acres.
   o. Haakenson: On the application it has 2 acres needed 6/3/19 D.K.
   p. Krueger: On the application to the town it was 5 acres.
   q. Livingston: If you are uncomfortable with the 2 acres out of the 5 we can withdraw and let you go back to the town.
   r. Krueger: No we can go ahead with it.
   s. Nye: Is there a driveway on the property?
   t. Krueger: There is not, there is really only one safe access point, on the County Road on top of the hill.

8. There being no further questions for the applicant, the Chairman called for any testimony in favor, and in opposition of the petition and there was none. The Chairman asked if anyone wanted to appear for informational purposes and Dave Kautza, Chairman for the Town of Rolling.

   a. Kautza: In regards to the 2 acres needed with initials D.K. when I received the application, it stated “to be a 1 acre building site on a 5 acre parcel to be determined by a CSM.” The town prefers a minimum of 2 acres but we don’t want 5 acre lots again because of the farmland
preservation. Those are all large lots in that area so the town would like to keep it at a 2 acre minimum instead of a 1 acre. Without the perc test, 1 acre sometimes isn’t enough. I am the one that put the 2 acre on it so he’d have more room. It would have been denied if it had been for 1 acre. Otherwise there is not opposition from the town.

b. Buck: Was Mr. Krueger at your meeting?
c. Kautza: Yes
d. Scupien: Was there discussion of 5 acres at that time?
e. Kautza: No

The Chairman called for more information and Donald Lenzner appeared and was sworn in:

a. Lenzner: I just want them to be aware that Ernie Baseman owned that land at one time and he was involved in PCB’s and he built that building to store his semi’s in. I don’t know if that ground is contaminated or not and if it needed to be checked out.

The applicant came forward, still under oath, to provide more information:

a. Krueger: The land has been tested and I am totally aware of the situation with Mr. Baseman. The land has been tested and it was never proven that there was anything dumped there. The tests for the ground water came back good. The two holes that were there were filled with a building which was all permitted. It is also plenty far enough away from my building site. I do have a perc test for that too.

b. Nye: Duane, say we approve this then you can work with the applicant to locate the 2 acres?
c. Haakenson: He just said he had a soil test done so we would put the house somewhere near that. We can’t have the drainfield 100 ft away. If he’s going to change the location of his house based on the soil test, he will need another soil test done. For the purpose of this hearing we can go a 2 acre building site within the 5 acre parcel, that way it gives him some flexibility. It’s not a survey within that 5 acres and we have control of the GIS mapping to create that 2 acre area. That’s why we don’t need people to survey these areas out. Once they are surveyed out then you are locked in.

d. Livingston: Has anyone assured you that taxes are paid up to date?
e. Krueger: I know for a fact that they are.

9. Haakenson: I have two communications from the Town of Rolling. One from the Plan Commission and one from the Town Board. The Plan Commission approved the application in June 3, 2019 and then it went to the June 3rd meeting of the Town Board which it was approved unanimously.

There being no further information

Motion by Nye seconded by Buck to close the testimony portion of the hearing. By roll call vote all Ayes, 0 Nays. Motion carried.

- **REZONING OUT OF AGRICULTURE AND FARMLAND PRESERVATION OVERLAY DISTRICTS.**

  **SECTION 17.42(4)(c) STANDARDS FOR REZONING OF LANDS OUT OF THE AGRICULTURE AND FARMLAND PRESERVATION OVERLAY DISTRICTS.** The County Board may approve petitions for
rezoning lands out of the Exclusive Agricultural District only upon a finding that such a rezoning is in the public interest after consideration of the following factors:

1. Adequate public facilities exist to serve the development or will be provided. Utilities on the road.
2. Provisions of these facilities and services will not be an unreasonable burden to local governments. None
3. Land is suitable for development. Was determined at PH
4. The development will not cause unreasonable air or water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas. No testimony to that affect
5. Potential conflict with remaining agricultural land and uses in the area. No conflict
6. Need for the proposed development in the location specified. He will own the property
7. Availability of alternative locations. He will own the property
8. Productivity of the agricultural lands that are involved or affected. Minimal
9. Whether the development as proposed is located to minimize the amount of agricultural land converted. Determined at PH
10. The land is better suited for a use not allowed in the Exclusive Agricultural district. No evidence to that affect
11. The rezoning is consistent with any applicable comprehensive plan. Fits in with the plans
12. The rezoning is substantially consistent with the county certified farmland preservation plan. Yes
13. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use. No

After careful consideration of all factors:

**DECISION:** Motion by Scupien, second by Buck to approve Petition for Zoning Amendment #1009. All members present voting aye. Motion carried.

This will go before the full County Board on August 20, 2019.

Hearing is adjourned at 3:30 P.M.

Minutes transcribed and submitted by:

JAMIE MUSOLFF, DEPARTMENTAL DEPUTY
LAND RECORDS & REGULATIONS DEPARTMENT
The following are the Minutes of Public Hearing, held by the Committee at the meeting detailed above:

1. Hearing called to Order at 3:30 P.M.

3. Roll call was conducted.

<table>
<thead>
<tr>
<th>Water &amp; Land Use Planning Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>William Livingston</td>
</tr>
<tr>
<td>Ron Nye</td>
</tr>
<tr>
<td>Don Scupien</td>
</tr>
<tr>
<td>Sandra Fischer</td>
</tr>
<tr>
<td>Roger Buck</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non-Committee Members Present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>Duane O. Haakenson</td>
</tr>
<tr>
<td>Jesse and Laura Arndt</td>
</tr>
<tr>
<td>Dave Kautza</td>
</tr>
</tbody>
</table>

3. Chairman Livingston read the Notice of Public Hearing pertaining to Petition for Zoning Amendment #1010 by Jesse Arndt, N2202 Hwy 45 S, Antigo WI 54409, Applicant, FROM: A-2 W/Farmland Preservation TO: AFR Land as being Pt SE Sec 28 T30N R11E n/k/a Pt CSM V11 P35 and EXC Lot 1 CSM V16 P189. A 2 acre building site on an approximate 15 acre parcel (Parcel 026-0452.002) Town of Rolling.

a. Mr. Nye stated he is in attendance as a county board supervisor to vote on this issue as there may be some potential controversy in the Town of Rolling on this application. I am here as a county board member looking at the rules.

4. Mr. Haakenson stated that the Notice for Public Hearing was published in the Antigo Daily Journal on July 17th & 23rd, 2019 in accordance with the Langlade County Zoning Ordinance and the Open Meeting Law. It was also sent to the Town Chairman, Town Clerk and those persons owning property within 300 ft of the described parcel.
5. The Petition for **Zoning Amendment #1010** was filed in the Land Records & Regulations Department on June 21, 2019. It was then referred to the Chairman of this Committee and set for this time and date for public hearing.

6. Mr. Haakenson presented the Committee with the findings of fact, an aerial photo and a locational map of the area: This is off of Dahlke Road. This parcel is zoned A-2 w/FP, to the east is A-2 w/FP, south is Forestry w/FP, west is A-2 w/FP. And north Forestry w/FP. Soil is Pence Sandy Loam and Antigo Silt Loam, generally slopes in the 0 to 6% range, can be some large stones, but generally suitable for a conventional system. A soil test has been done and shows soils suitable for a conventional system, with an existing driveway.

7. There being no further questions for Mr. Haakenson, the chairman called the applicant forward and Jesse Arndt appeared before the committee and was sworn in.
   a. Arndt: I want to build a house on this property, in about the center of the square.
   b. Nye: Is there power down there.
   c. Arndt: Power is less than a quarter mile away. I haven’t had the power brought in yet, because I had to go through this first.

8. There being no further questions for the applicant, the Chairman called for any testimony in favor of the petition, there being none, the Chairman called for any testimony in opposition and for informational purposes, there being none.

9. The applicant confirmed taxes are current

10. Haakenson: Two communications were received from the Town of Rolling. The Town Plan Commission approved the petition on 6/3/2019, and the Town Board approved the request on 6/3/2019 with concerns of a perk test/septic permit being done.

    **Motion** by Scupien seconded by Buck to close the testimony portion of the hearing. By roll call vote all Ayes, 0 Nays. Motion carried.

**REZONING OUT OF AGRICULTURE AND FARMLAND PRESERVATION OVERLAY DISTRICTS.**

**SECTION 17.42(4)(c) STANDARDS FOR REZONING OF LANDS OUT OF THE AGRICULTURE AND FARMLAND PRESERVATION OVERLAY DISTRICTS.** The County Board may approve petitions for rezoning lands out of the Exclusive Agricultural District only upon a finding that such a rezoning is in the public interest after consideration of the following factors:

1. Adequate public facilities exist to serve the development or will be provided. **yes**

5. Provisions of these facilities and services will not be an unreasonable burden to local governments. **yes**
6. Land is suitable for development. yes
7. The development will not cause unreasonable air or water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas. no testimony
5. Potential conflict with remaining agricultural land and uses in the area. none
6. Need for the proposed development in the location specified. Town approved
7. Availability of alternative locations. Owns property
8. Productivity of the agricultural lands that are involved or affected. none
10. Whether the development as proposed is located to minimize the amount of agricultural land converted. Small portion
10. The land is better suited for a use not allowed in the Exclusive Agricultural district. Town approved
11. The rezoning is consistent with any applicable comprehensive plan. approved
12. The rezoning is substantially consistent with the county certified farmland preservation plan. approved
13. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use. yes

After careful consideration of all factors:

**DECISION:** Motion by Buck, second by Scupien to approve Petition for Zoning Amendment #1010. By roll call vote, all members voting aye. Motion carried.

This will go before the full County Board on August 20, 2019.

Hearing is adjourned at 3:45 P.M.

Minutes transcribed and submitted by:

JAMIE MUSOLFF, DEPARTMENTAL DEPUTY
LAND RECORDS & REGULATIONS DEPARTMENT